MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2019 / 2020

DBL5024 – COMPANY LAW

(For Diploma Students Only)

18 OCTOBER 2019
3.00 p.m – 5.00 p.m
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of **2** pages with 4 questions.
2. Answer all questions.
3. You are required to cite relevant provisions and case laws.
4. Write all your answers in the Answer Booklet provided.

QUESTION 1

(a) Company auditors continue to play an important role in the auditing of the records and accounts of companies. Discuss the requirements for the appointment of an auditor for private company.

(15 marks)

(b) Fran has been appointed as an auditor for Hey Ho Sdn. Bhd. During the audit processed, she found few irregularities in the financial statements of the company. She met the director who prepared the statements and the director asked her not to include the finding in her reports and promised to give her some money.

Advise Fran whether she has breached her duties as an auditor if she does not state the irregularities in the financial statement in her report. (10 marks)

[Total : 25 Marks]

QUESTION 2

(a) Mr Rajesh is the only sole director and shareholder in his company named Love Sdn Bhd. He later appoints his nephew, Andrew as the second director of the company since Andrew's passion is drawn towards business management. During the appointment, Andrew is only seventeen years old.

Advise Mr Rajesh whether the appointment of Andrew as a director for Love Sdn. Bhd is valid. (10 marks)

(b) State **FIVE (5)** types of director. (5 marks)

(c) Discuss the requirement for number of directors in a company in accordance to Companies Act 2016. (10 marks)

[Total : 25 Marks]

Continued...

QUESTION 3

(a) A company can choose whether to have a constitution or not in the company.

(i) State any **THREE (3)** contents of a company's constitution provided under section 35 (1) of Companies Act 2016. (3 marks)

(ii) Discuss mandatory requirement to have a constitution under section 38 of Companies Act. (6 marks)

(b) The corporate veil may be lifted by the way of statutory exceptions. Discuss **THREE (3)** statutory exceptions provided under the Companies Act 2016. (16 marks)

[Total : 25 Marks]

QUESTION 4

(a) State **TWO (2)** types of winding up. (2 marks)

(b) List **FOUR (4)** procedures for winding up. (4 marks)

(c) A voluntary winding up may be either a member's voluntary winding up or a creditor. Discuss the following:

(i) Members' voluntary winding up procedures (9 marks)

(ii) Creditors' voluntary winding up procedures (10 marks)

[Total : 25 Marks]

End of Paper